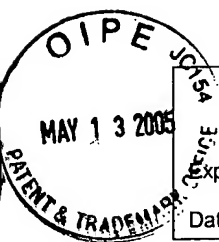


S-16-05

JFW



**U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION**

Express Mail Label No.: EV 327 135 795 USDate of Deposit: May 13, 2005

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Roy K. Greenberg et al.Appln. No.: 10/756,803Filed: January 13, 2004For: Branched Vessel Endoluminal
DeviceAttorney Docket No: 12730-31Examiner: Suzette Jaime J. GherbiArt Unit: 3738

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Response to Restriction/Election Requirement
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | | Total | \$0 |


Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

May 13, 2005

Date


 Samuel E. Shehadeh (Reg. No. 52,215)



DATE OF DEPOSIT May 13, 2005

Our Case No. 12730-31

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Roy K. Greenberg et al.

Serial No. 10/756,803

Filing Date: January 13, 2004

For Branched Vessel Endoluminal Device

)
)
)
)
)
)
)

Examiner: Suzette Jaime J. Gherbi

Group Art Unit: 3738

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Restriction/Election Requirement dated April 14, 2005,

Applicants respectfully submit the following comments. Applicants elect Species A (Figs. 1-4c) pursuant to the Examiner's instructions and U.S.C. § 121. Claims 1-11, 13, 14, 17-20 and 24-32 read on this species.

However, Applicants respectfully traverse this Restriction/Election Requirement. At least independent Claim 1 is generic to and reads on all of the identified species. Furthermore, all but six claims read on the elected species. Thus, there is no basis for the Restriction/Election requirement.

In accordance with 37 CFR § 1.141, if Claim 1 is allowed, Applicants respectfully request examination of all remaining claims 12, 15, 16 and 21-23, since by definition, they are allowable based on an allowance of Claim 1. Furthermore, the Election Requirement should be withdrawn as all remaining species are encompassed by at least Claim 1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Samuel E. Shehadeh', written over a horizontal line.

Samuel E. Shehadeh
Registration No. 52,215
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200